

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

WAHLBERG McCREARY, INC.,
and MCCREARY
MANUFACTURING CO., INC.

Plaintiffs,

V.

ARCH INSURANCE GROUP, INC.,
YORK RISK SERVICES GROUP,
WORLEY CSD, and STEVE MAZEY

Defendants.

CIVIL ACTION No. 4:17-cv-02917

AGREED ORDER

The Court has considered Defendant Arch Insurance Company’s Motion to Compel Appraisal and Abate Proceedings Pending Completion of Appraisal (“the Motion”), as well as any arguments of counsel. The Court believes that the Motion should be granted in full, and therefore ORDERS that Plaintiffs’ Wahlberg McCreary, Inc. and McCreary Manufacturing Co., Inc. and Defendant Arch Insurance Group, Inc. (collectively, the “Appraisal Parties”) complete the appraisal process set out in the Arch insurance policy, within the following timelines:

September 7, 2018 The Appraisal Parties' appraisers shall confer regarding their estimates and whether an umpire will be necessary

September 14, 2018 The Appraisal Parties shall advise the Court whether their appraisers have been able to agree upon an umpire, or whether they will need the Court to appoint an umpire

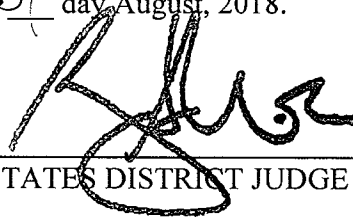
October 12, 2018 If necessary, the Appraisal Parties' appraisers shall meet and confer with the umpire regarding their estimates

October 26, 2018 Appraisal shall be completed

It is further, ORDERED, the Appraisal Parties shall be allowed to use their designated experts in this case as their appointed appraisers and it shall not be required of the parties/appraisers to conduct a joint inspection of the property.

The Court further ORDERS that this lawsuit is abated until such time as the appraisal is complete. This abatement applies to all parties in this lawsuit. Accordingly, all proceedings and pending deadlines in this lawsuit, including the deadline to file dispositive motions and all other pretrial motions, are abated until such time as the appraisal is complete.

Signed this 31 day August, 2018.



UNITED STATES DISTRICT JUDGE

Agreed:

/s/ Wayne D. Collins *

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* Signed by permission